



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE MUNICIPAL LEAGUE OF PHILADELPHIA

CLINTON ROGERS WOODRUFF, ESQ.
Philadelphia, Pa.

After thirteen years of unceasing activity, the Municipal League of Philadelphia adjourned *sine die* in the autumn of 1904, after providing, however, that the work in which it had been so long engaged should be carried on by new men with enlarged resources.

The Municipal League of Philadelphia was organized in 1891, and played an important part in municipal affairs, until its activities were definitely suspended on November 28, 1904. There had been numerous reform movements organized in Philadelphia which in their day and generation had done much for the cause of better municipal administration, and whose work was of great importance and advantage to the city and its citizens. In all these organizations, however, there was wanting that element of representation, in the American and republican sense, and that thorough organization, which experience has proved to be essential to political movements in the United States, and which must of necessity precede permanent reform. Then, again, these movements had made little or no provision for distinctly educational work. Because of these omissions—the lack of representation, thorough organization, and of continued and distinctive educational work—many who had been active in behalf of the city's welfare felt that a newer and more comprehensive effort, with adequate provision for party organization, was necessary; and in the autumn of 1891, as an outcome of numerous conferences and much discussion, the plan of the Municipal League was evolved.

The league was organized to secure certain definite ends: the practical separation of municipal affairs from state and national

politics; the extension of the principles of civil-service reform to all city departments; the conduct of the city's affairs by enlightened methods and upon business principles, so that Philadelphia should have the most improved system of taxes, of street-paving, of lighting, of water, of drainage, of schools, of transit, and other public necessities and conveniences.

To secure these ends, the league proposed so to arouse public sentiment and to awaken civic pride that the citizens of Philadelphia would consciously and deliberately demand such a conduct of the city's affairs as would result in the highest possible municipal development. It did not feel (to quote the language of an early report) that any permanent good would be accomplished by spasmodic effort, although such effort might have the excellent result of temporarily abating what for a time was an intolerable nuisance. The politicians, however, who are much the same in all parties and in every city, have learned to allow periodical outbursts of public indignation to blow over, and then to return to their old haunts and old ways, and rule with greater vigor, greater audacity, and less regard for public opinion than ever. To avoid this decline in the public interest, to maintain the demand for good government at the sticking point, and to create what may be called a permanently persistent public spirit, was the problem to which the league addressed itself.

How successfully it accomplished these ends it is difficult accurately to determine; although an account of what it achieved during its thirteen years of activity may answer the question in part. Taking up, in the first place, the work the league did along the lines of organizing public sentiment, and those who believed in its principles, we find that it participated in twenty elections,¹ and was definitely recognized under the law as a political party.

Its vote varied from 5,000 to 58,000, according to the degree of public interest.² What is of vastly greater importance, how-

¹ There are two elections a year in Philadelphia.

² As showing the extent of the league's political activities, the following table

ever, is that the league organized a number of ward organizations and, where these were not possible, nuclei of workers, who could be depended upon to represent the league and fight its battles, and who now constitute a very important and effective element of the present City Party movement, which bids fair at this writing to overthrow the Philadelphia machine and measureably restore to the people of Philadelphia the control of their government.

Any citizen of Philadelphia, or any person whose business was in the city, was eligible to membership in the league upon signing a statement to the following effect:

Believing that the affairs of our municipal government will be better and more economically administered by the absolute separation of municipal politics from state and national politics, and being in hearty accord with the Declaration of Principles of the Municipal League of Philadelphia, I hereby make application for membership in the same.

Once a member of the league, a person was not only eligible to any office within its gift, but had a direct voice in its affairs,

of nominations made for election officers and councilmen is illustrative. The figures are for the elections of February 19, 1901, and February 18, 1902.

Ward	1901	1902	Ward	1891	1892
First	84	..	Twenty-third	..	69
Second	72	66	Twenty-fourth	16	117
Third	21	..	Twenty-fifth	21	..
Fourth	6	..	Twenty-sixth	..	2
Fifth	..	50	Twenty-seventh	40	71
Seventh	16	19	Twenty-eighth	81	89
Eighth	6	45	Twenty-ninth	21	90
Ninth	..	1	Thirtieth	67	1
Tenth	21	26	Thirty-second	39	78
Eleventh	3	..	Thirty-third	..	129
Twelfth	26	..	Thirty-fourth	78	93
Thirteenth	16	54	Thirty-sixth	46	83
Fifteenth	122	117	Thirty-seventh	48	64
Seventeenth	54	..	Thirty-eighth	..	63
Nineteenth	6	..	Forty-first	21	9
Twentieth	14	120	Forty-second	..	18
Twenty-first	9	60			
Twenty-second	37	107	Total	991	1,641

	1891	1902
Select councilmen	10	11
Common councilmen	51	39
School directors	55	49
Total	116	99

which were managed by a central board of managers composed of twenty-five members elected at large, and one delegate, at first from each organized ward, and afterward from each ward of the city whether organized or not. The league's interests in organized wards were looked after by a ward committee consisting of ten or more men elected at large, and delegates from each division, at first only from organized divisions, latterly from organized and unorganized divisions alike. The work in the divisions was looked after by division committees consisting of ten or more members. In this way a municipal party, governed upon the same general principles as national parties, was built up. While the efficiency of this organization varied from time to time and from ward to ward, nevertheless it represented the first definite effort in Philadelphia to maintain a distinctly municipal party which would be recognized as such by the courts under the existing Pennsylvania statutes, and which would have a permanent existence. Moreover, it was effective in developing a group of men who have since shown the benefits of their training in the splendid work which they are doing for the present City Party. It created the skeleton upon which the subsequent superstructure has been built; it created an *esprit de corps*, and made possible much of the splendid work of the recent days and months.

While a detailed account of the various campaigns of the league might prove interesting, it would be aside from the purposes of this article to go into them. Suffice it to say that in a number of its campaigns its candidates were elected; but in the majority of them they were defeated, either because of the overwhelming odds against which the fight was conducted; or because of the insufficient education of the voters; or because of the coalition between the Republicans and the Democrats for their mutual preservation; or (what was frequently the case) because of the frauds practiced at the election.

Indeed, one of the most effective lines of activity in which the league engaged was its exposure of fraud at the elections, and its unceasing campaign aimed, not only at its exposure, but at its correction. In 1896, realizing that the existing registration laws of Pennsylvania were totally inadequate, and that no effective

revision of them was possible so long as the constitution of the state of Pennsylvania permitted anyone whose name was omitted from an assessor's list to have his vote sworn in on his own oath and that of another, an amendment to the constitution making possible an effective personal registration law was drafted. This amendment was introduced into the Legislature in 1897 by the counsel of the league, who had been its secretary from 1891 up to the date of his election to that body. The amendment failed of passage in the session of 1897; but it was again introduced in the session of 1899, of which the counsel was again a member. This time it passed the House and Senate, receiving the necessary constitutional majority in both chambers.

After its passage, the then governor of the state, William A. Stone, vetoed the amendment. The league at once challenged his right to take this action, maintaining that proposed amendments to the constitution did not have to be submitted to the executive for his approval, but, after receiving the necessary vote in two successive sessions of the Legislature, were to be submitted to the people forthwith. Holding this view, the league took steps to overcome the effect of the governor's veto, and began a suit in the Dauphin County Court to that end. The lower court denied the league's petition for a mandamus, maintaining the right of the governor to take the action that he did. An appeal from this decision was taken to the Supreme Court, and argued at length before a full bench. After mature consideration, the Supreme Court unanimously overruled the Dauphin County Court, sustaining the league's position, and denying the right of the governor to veto a proposed amendment to the constitution.³

The league thereby established the important principle of the right of the people through their representatives in the Legislature to propose amendments to their constitution without fear of executive interference.

The fight for the adoption of the amendment was continued by the league. It was re-introduced in 1901, as required by the constitution, and received a constitutional majority in the House

³ See *Commonwealth ex rel. Burnham vs. Greist*, 196 *Pa. State Reports*, 396.

and in the Senate, and was then ready to be submitted to the voters of the state for adoption.

To avail itself of the co-operation of other organizations which by this time had become interested in the movement for the personal-registration amendment, a "Union Committee for the Promotion of Election Reforms in Pennsylvania" was formed. Of this committee the league was a constituent part during the period of its existence, and a dominating factor. The committee (afterward known as the Joint Committee for Election Reforms, and now known as the Electoral Reforms Committee) conducted a campaign for the adoption of the amendments, which was successfully concluded in November, 1901, the amendments receiving 214,798 votes to 45,601 *contra*.

Thus the constitution of Pennsylvania was amended, and effective personal registration made possible. This at the time and since was considered a great achievement for the cause of pure elections. Without it subsequent efforts would have availed but little. The next step was to secure the passage of an adequate personal-registration bill. The league participated in this work through the Union Committee. A bill representing the most complete form of personal registration was drafted and introduced in the session of 1903, and again in the session of 1905. Thus far it has not been enacted into law; but the state of public sentiment in Pennsylvania is such as to justify the belief that the Legislature of 1907 will grant the now almost unanimous demand for legislation on this subject.⁴

The Municipal League was, moreover, very active in the agitation for ballot reform, which in Pennsylvania means the elimination of the party square, which is the equivalent of the party column, or group in other states, and the substitution of the Australian system. Thus far this effort has not been successful; but, as in the case of personal registration, the present prospects favor an early granting of the people's demand. Indeed, steps have already been taken looking toward the drafting of a more

⁴ Those who are interested in the discussion of the inefficiency of the present election laws in Pennsylvania will find the whole subject considered at length in an article entitled "The Election Laws of Pennsylvania," published in the *Annals of the American Academy*, 1901, by the present writer.

comprehensive election code, embracing sections dealing with the question of ballot reform, personal registration, nomination reform, as well as with the general features of election machinery, the league's work along these lines being the basis of consideration.

Incidental to its work along political lines, the league was of necessity compelled to take an active part in the interpretation and execution of the election laws. In 1901 it called the attention of the court to the fact that for a number of years the "list of voters," which the law contemplated should be filed in the prothonotary's office (an office of record, and open to the public under proper restrictions), had been locked up in the ballot box and stored away in the cellars of the city hall, and so rendered inaccessible to persons interested in ascertaining the correctness of the vote at any particular election. The league instituted test suits; and, after a careful consideration of all the questions involved, in which the league was represented by its counsel, the court sustained the position of the league, and decided that thereafter the "list of voters" must be filed in the prothonotary's office. This had the result of cutting off an important form of election fraud, it having been the custom theretofore to run in fraudulent votes, and file the evidence of it away in the ballot boxes, which could be opened only after a most difficult process. Now the lists are filed in the prothonotary's office; and it is possible and feasible for any person to examine them, and ascertain just who voted at a particular election and in a particular precinct.

The league was likewise instrumental in determining the right of municipal parties to a circle at the top of the column on the ballot. The county commissioners maintained (under instructions from the secretary of the commonwealth) that only parties having a full, city, state, and national ticket were entitled to a circle at the top of their column. The case instituted by the Municipal League established the right of the league and similar organizations to the same privileges enjoyed by the Republican and Democratic parties for a circle at the top of their column on the ticket. If the Legislature should pass the ballot-reform law which is being urged, this particular decision will have no further

value. If, however, we are still to have party circles or squares, it is important to know that municipal parties similar to the league are entitled to have them as well as those which nominate a full ticket. This decision will therefore be of great value in the pending campaign in Philadelphia; because the City Party, which is waging the independent campaign in Philadelphia, will under this decision be entitled to a party square for its candidates, although it has nominated candidates only for local offices, and its supporters will have the same convenience as those of the regular (national) parties.

The league co-operated with every effort of the Joint Committee in its work for improved election laws in the state of Pennsylvania, and made many of its acts possible by reason of this co-operation; moreover, it was instrumental in securing a considerable number of decisions of the court concerning election laws, and the rights of parties and of voters under them. A detailed account of these would be only incidentally interesting and useful. The more important and significant cases are those which have already been mentioned.

The league, during its entire thirteen years of activity, carefully scrutinized local and state legislation, and called public attention to the defects of proposed ordinances and acts of assembly. In doing this, it preached a consistent doctrine, and was influential in creating a public sentiment which is now beginning to manifest itself in most decisive fashion.

Always true to its declaration that "the interests of the people will be best served by the municipal ownership, control, and operation of public services; that no lease or franchise should in any case be granted except for a limited period, and with full provision for adequate regulation by and remuneration to the city," it consistently called attention to the shortcomings of franchise legislation both in the city hall of Philadelphia and the state capitol at Harrisburg. At first its opposition was considered merely academic; and while, I regret to record it, its policy has not yet been enacted into law, nevertheless the sentiment of the people of Philadelphia now seems to be substantially as expressed in the declaration of principle just quoted; and whenever the

people have had an opportunity of expressing themselves on the subject, it has been in accord with this fundamental thought.

The great demonstration of last spring against the proposed extension of the existing gas lease for a period of seventy-five years was a concrete manifestation of the thought and feeling of the people on the subject of franchises. In this case they were successful in stopping what otherwise would have been a great outrage upon the people of Philadelphia, not to call it by harsher terms. Moreover, in 1901, after the passage of the "midnight" laws and ordinances relating to street railways, the expression of public opinion was such as to indicate a substantial acceptance of the league's principles. Unfortunately, in that case the demonstration was not sufficiently extended to stop the prostitution of the people's rights; but this much can be said, that public sentiment in Philadelphia in the matter of franchises is growing steadily, and will in time manifest itself in the election of representatives, both to the local and to the state legislature, who will treat franchises in accordance with the modern principles embodied in the league's platform.

In 1897 the league led the fight against the leasing of the gas works to the United Gas Improvement Co., the story of which has been told in the *American Journal of Sociology*, Vol. III, No. 5. The league's contest was based on the ground that so valuable a property should not be committed to private hands, and that the city should reap all the benefits accruing from its operation—a position that was more than sustained by the first year's operation of the plant under the lease. Payments to the city for the year ending July 31, 1899, amounted to \$467,628.41. President Dolan, in his annual report to the stockholders of the United Gas Improvement Co. for that year, reported the profits for its fiscal year to be \$1,864,129, an increase of \$489,930, largely due to the new lease. The Equitable Illuminating Gas Co. (which was brought into existence by the lease, and was the company created in the financing of the scheme) paid on June 3, 1899, a dividend of \$3 per share. Inasmuch as there were 62,500 shares, this represents a payment of \$187,500. Adding the amount paid to the city to the increase in profits and the divi-

dend of the Equitable Co., we have a total of \$1,145,058 profits accruing from the operation of the city gas-works for a year. The market price of the stock of the United Gas Improvement Co. is also an evidence of the immense value of the lease. On May 3, 1897, the United Gas Improvement Co.'s stock sold at $70\frac{7}{8}$; on October 1, 1897, at $82\frac{1}{4}$; on May 1, 1899, at 161 and $163\frac{3}{4}$; on September 9, 1899, at $168\frac{3}{4}$; or an increase of \$97.87 per share in two years and four months. As there were 300,000 shares of stock outstanding in 1899, this represented a total increase of \$29,361,000 in the value of the stock.

It is an interesting fact to note that the leaders of the opposition to the recent proposed extension of the gas lease were mainly young men who had been actively identified with the Municipal League, and who had received their training in public work while identified with it; so that, while the league itself no longer took a part as such in the fight, the spirit which animated it during its career found reincarnation in the men whom it had developed and trained.

The league also took an active part in the solution of the water problem, beginning with the prosecution of the bribery incident to the introduction and attempted passage of the Schuylkill Valley Water Co. ordinance, and continuing through to the formation of the joint committee which had so large a share in the solution of the difficulties standing in the way of positive action on the subject.

As was pointed out in the report for the year 1897-98, no sooner had the gas-lease scandal been fastened upon the city by the betrayal of the people's interests, than the stock-jobbers, promoters, and lobbyists began to originate various schemes to secure control of the water-works. The necessity for an abundant supply of pure, wholesome water has long been a pressing one in our community; but, owing either to the inefficiency and to the incapacity of our municipal government, or its criminal neglect and indifference, no satisfactory and permanent solution had been agreed upon up to that time. The filtration committee, composed of representatives of various public bodies, and on which the league was represented by its president and vice-president, had

been working persistently to secure the introduction of an adequate system of filtration; but for some inscrutable reason, this committee had not been able to accomplish its end. It was difficult to apportion the blame for delay in the solution of the problem, which was fraught with such serious consequences to the comfort and health and protection of our city. The league, appreciating the gravity of the situation confronting the citizens, at once began an active campaign to preserve to the city its sole remaining asset, and a vigorous protest was prepared, and sent to the presidents and members of select and common councils, urging continued municipal control and operation of the water-works. The league was also represented before the councilmanic committee having charge of the matter, and urged the necessity of positive action in the direction of filtration, and negative action on the ordinances providing for the leasing of the works.

Before long, as in the case of the gas lease, it was to be observed that one ordinance—that providing for the leasing of the water-works to the Schuylkill Valley Water Co. for a period of fifty years—had insinuated itself into the good graces of the councilmen and was preferred above all others. Why this was so the judicial investigation, subsequently held, disclosed. The Schuylkill Valley ordinance passed Select Council easily, and was proceeding with equal ease through the lower branch, despite determined opposition, when a member from the Thirty-second Ward rose in his seat and openly charged that he had been offered \$5,000 to vote for the ordinance. Under the influence of this exposure, the ordinance was indefinitely postponed, and, as a matter of fact, was never again pressed for passage. A committee was appointed to investigate the charges; but little came of this. The Municipal League, however, was not idle. It retained Hon. Wayne MacVeagh and other counsel to assist its regular counsel to prosecute all who might in any wise be implicated in the attempted bribery. The league raised a guaranty fund to provide for the expenses of the investigation and prosecution. The counsel determined not to appear before the committee, whose action was considered a foregone conclusion, but to secure, if possible, the co-operation of the district attorney,

whose personal abilities and official powers were such as to insure, if he should decide to co-operate earnestly and efficiently with the league, that the corruption incident to the promotion of the bill would be exposed.

After numerous conferences, the district attorney took hold of the matter; steps looking toward the indictment of Smith (the man who offered the bribe), and the prosecution of an investigation by two judges sitting as justices of the peace, and as such vested with the authority to inquire into the welfare of the county, were inaugurated; Judges Brêgy and Gordon agreed to sit as committing magistrates and justices of the peace; Stevenson (the councilman making the charge) gave his evidence again; and Smith was bound over in \$10,000 bail to answer at the then present term of court the charge of corrupt solicitation.

After this, the district attorney proceeded with an examination of some of the members of the Committee on Water to ascertain, if possible, to what extent corruption had been practiced in connection with the Schuylkill Valley ordinance. One select councilman testified, under skilful cross-examination, assisted by the judges, that he had been paid \$500 in cash by a common councilman in his saloon to sign the report of the committee favoring the Schuylkill Valley ordinance; and that another select councilman had subsequently offered him \$5,000 for his vote on final passage. Chairman Bringham, of the Water Committee, testified that the promoter of the ordinance had approached him with a view of interesting him in the ordinance, but, upon his refusal to have anything whatever to do with it, Colonel Green declared that no other ordinance could be got through the committee. Selectman Henry Clay gave similar and other testimony tending to show Green's corrupt connection with the ordinance; and at one of the hearings Dr. William Pepper testified that Judge Henry Green, of the Supreme Court, had introduced the promoter Green to him, and that the latter had attempted to secure his support of the scheme; and the mayor testified that the promoter had shown him a copy of the Supreme Court decision declaring the \$11,000,000 loan invalid on the very morning and at the very hour that the court itself had handed down the decision at Harrisburg over

one hundred miles away. As a result of the testimony elicited at these hearings, Seger and Byram were bound over in bail of \$10,000 each, and Green in \$50,000 bail, to answer the charge of corrupt solicitation.

None of these defendants, notwithstanding the convincing character of the evidence against them, was convicted. After the indictments had been found, the matter passed entirely into the hands of the district attorney, and the league's control of the prosecution ceased; so it was in no wise responsible for the failure to secure the conviction of these men. This much is to be said, however, that the investigation and prosecution for which the league was responsible succeeded in defeating the efforts to lease the works, and made it possible for those who were interested in the introduction of a filtration system to have their plans eventually put into force and effect. In this work the league took a leading part; and, as William Waterall at one of the inspections of the filtration plant several years afterward declared, "whatever one may think of the league, credit must be given to it for its signal service in helping to preserve the water-works to the city, and in making possible the inauguration of the filtration plants."

The league's constant scrutiny of legislation at Philadelphia and Harrisburg led to the defeat or veto of many obnoxious measures, and to the amendment of others. For instance, in the matter of the gas lease, while it could not and did not prevail in its opposition to the passage of the ordinance authorizing the lease, a large number of amendments to the ordinance itself were incorporated by the city solicitor, and the interests of the city very materially safeguarded. So in the matter of water, as we have just seen. Along the lines of the street-railway franchises the league persistently opposed the granting of privileges without the city's being adequately compensated for them and its interests duly protected.

The league's scrutiny, discussion, and criticism of ordinances granting privileges to the electric-lighting companies, to the telephone companies, to the railways, and granting wharf leases, would constitute an interesting and instructive story of itself. The action of the league on such legislation was based upon a

careful consideration of the interests of the city, not only for the present, but for coming generations, and had always in mind the fundamental principles for which the league stood.

Moreover, the league carefully considered and scrutinized all legislation having to do with municipal questions. In 1897, for instance, it led the movement for the veto of the notorious Becker bills of that year, which, had they become laws, would have accomplished then what has since been authorized, but not fulfilled by the notorious ripper bills of the present year. The Becker bills were intended to transfer the effectual government of the city to one-third of the members of the Select Council plus one, as their object was to compel the mayor to submit all his appointments to the Select Council for approval, a two-thirds vote being necessary for confirmation. The Becker bills, together with the ripper bills of 1897, were as notorious in their way as were the ripper bills of 1905. Fortunately, the league was able so to arouse public sentiment, and so to secure the co-operation of the governor, as to prevent their enactment into laws.

At every session of the Legislature during the league's existence it kept in touch with the more important measures affecting Philadelphia. While it was not able, because of its lack of financial resources, to maintain so complete a representation at the state capitol as the City Club maintains at Albany, nevertheless it was helpful and influential in calling the attention of the people of Philadelphia to those measures which required their support on the one side, or which called for their opposition on the other. It did not confine its efforts to opposing bad legislation, but constantly sought to put its ideas concerning municipal government into concrete form. We have already seen what it was able to accomplish in the passage of the personal-registration amendment. In 1897 it introduced a series of seven bills intended to extend the principles of the Bullitt Bill and remedy the defects of that instrument. These bills, viewed from the broad standpoint of the development of municipal institutions, represented something of far deeper interest and importance than a disconnected series of amendments to our existing system. While containing great diversity in subject-matter and contents, there was nevertheless

an underlying purpose pervading all, which gave them a unity they would have otherwise lacked, namely, the endeavor to adapt the form of our municipal institutions to the changing conditions of city life.

The committee preparing these bills was fully aware of the relatively subordinate place which should be given to questions of forms of government; but it recognized the fact that a form of government poorly adapted to the problems with which it has to deal is a source of weakness in the body politic. The committee declared that "we have begun to realize that city problems are not of the same nature as state and national problems; but we have not drawn the further and more fruitful conclusion that this difference calls for a difference in the form of government."

It is in this connection that the bill reorganizing city councils marked a step in the right direction. Framed in a conservative spirit, it was designed to preserve the point of contact between the present and the proper system. It did not attempt to make a radical change from a bicameral to a single-chambered local legislature; it merely proposed to rehabilitate the present system, profiting by the experience of other cities. Our present legislative system is the cause of an enormous waste of energy, combined with which there is a complete lack of responsibility to the community as a whole. The attempt to enforce responsibility, and to elect the best type of men to councils by working within ward lines, has proved to be a disastrous failure. Political responsibility is inherently different from business responsibility, and must be enforced by methods which only remotely resemble the enforcement of responsibility in private corporate management. Instead of trying to develop a progressive municipal policy out of the dickerings and compromises of local interests, we must endeavor to give expression to the highest standards of the community as a whole. Instead of judging a man's efficiency by the number of special favors obtained for his small district, we must come to gauge it by his contribution to the welfare of the whole community. Instead of constructing a system in which representatives from constituencies arranged upon one plan are played off against representatives elected by districts based upon another

plan of division, we should endeavor to facilitate the expression of the most enlightened opinion of the community.

I have summarized the conclusions of the committee, not only because of their inherent value, but because they foreshadowed, to so considerable an extent, the conclusions reached by a similar committee on charter reform appointed some months later by the National Municipal League. The pioneer work of the Municipal League of Philadelphia, not only along the lines already considered, but in other similar directions, has not been fully appreciated—not because of any desire to deny to it its full share of credit, but simply because its activities have been so numerous and varied that its own later work has, to a certain extent, obscured its earlier efforts.

Another of the bills prepared by the league dealt with the granting of franchises. It illustrated a sound principle of administrative law, of equal validity at all times and under all circumstances. No matter how strong our desire for municipal home-rule may be, we must recognize the fact that in those cases where there is the possibility of a conflict between the immediate and permanent interests of the municipality some form of central control is necessary. That such a conflict is always present in the case of the granting of franchises has been abundantly proved by the history of American municipalities. It is the function and duty of the state to safeguard the interests of coming generations; to assure to them a participation in the financial and other resources of the community. Hence the propriety of the appeal to the Legislature to prohibit the granting of franchises by councils for a longer period than thirty years. The fact that our bill was ignored, while the legislative bodies of other cities are prohibited from granting franchises for a longer period than twenty-five years, shows how difficult it is to secure wise and progressive legislation in this state under its present leadership.

The Legislature in no sense encroaches upon the sphere of local liberties when it fixes the standards of action in cases of this kind. On the contrary, it is simply protecting the municipalities against the short-sighted action which results from the lack of proper perspective between immediate and ultimate interests. In

this matter the experience of European countries is conclusive. Wherever we turn, whether it be to England, Germany, France, or Austria, we find this principle incorporated in one form or another in the municipal system. As a result, the municipalities are receiving with each year increasing benefits from its operation. In Glasgow, Huddersfield, and Sheffield the municipality is operating the street-railway lines. In Birmingham, Manchester, Leeds, and Bradford the returns from franchises increase with each year, and at the expiration of the twenty-one-year period — which is the limit of grants — new and more favorable conditions have been obtained from the street-railway companies. Turning to France and Germany, we find precisely the same principles adopted, resulting in a continuous lightening of the burdens of taxation. In addition to the financial advantages accruing from the limited period of franchise grants, there is another and equally important principle involved. At the expiration of each period the municipality obtains complete control over its highways, which is impossible under any other system. In the United States constitutional prohibitions of one kind or another make state control over corporate management extremely difficult. The principles of constitutional law, that no state shall make nor enforce any law impairing the obligation of contracts; that life, liberty, and property shall not be taken without due process of law; and that the right of eminent domain can be exercised only for purposes which the court regards as distinctively public in character, are usually disregarded at the time franchises are granted; but they assert themselves in the most uncomfortable manner the moment the municipality wishes to exercise any control over the use of such franchises. This fact makes the necessity of such guarantees as were embodied in the league bill far greater than in any other country.

Through its control of the patronage, and the opportunity thereby afforded to assess public employees for political purposes, the “machine” has been able to maintain its power in state and municipal affairs. If a permanently improved municipal government is to be secured, we must remove city employees from politics. They must be appointed only on the basis of their merit and

fitness, and continued in office free from political exactions and dominations, and for so long a period as they discharge their duties faithfully and satisfactorily. The Bullitt Bill intended to place our municipal service on a merit basis; but, because of the provision giving to the heads of the departments, who were themselves the appointing power, the authority to draft the rules and regulations governing appointments, it has failed of its object, and has resulted only in keeping the very worst and most inefficient out of office. There is no more vicious principle in administrative law than that which places in the hands of appointing officers the ability to formulate the rules in accordance with which they are to make appointments. Experience has time and again demonstrated that they will be unable to resist the demands for office on the part of interested politicians and office-seekers, and that they will therefore make the requirements as meager as possible. President Proctor, of the United States Civil Service Commission, testified before the Senate Investigation Committee that such provisions were practically worthless.

Two of the league's bills provided for a civil-service system based upon the most advanced legislation and the experience of other cities. They were intended to remedy the defects of the present charter, and to establish a system whereby only those best fitted to carry on the city's business should be selected. A third bill prohibited political assessments, and was designed to relieve office-holders of what amounted practically to forced levies, extorted by fear of the possible consequences of refusal. The moderate and conservative character of the league's proposed legislation was shown in this latter bill, which only went as far as prohibiting assessments, although the committee, as well as the board of managers, felt that the only effective way of putting a complete quietus to the whole pernicious system was by making it a misdemeanor for any public officer or employee to contribute any sum for political purposes. Until this is done there will be contributions in one form or another for political purposes on the part of this class of citizens. It is no hardship to an office-holder to deny him the right to contribute for political purposes, because there is no legal obligation resting on him to hold office. If he

values the right to contribute above his desire for office, he need not accept the latter; but public sentiment has not as yet reached the point where it is ready to insist upon this method of reforming the abuse, and until it is ready other means will have to be tried to prevent the evil now existing in all our larger cities. The collection of large sums for political purposes, aggregating tens of thousands of dollars in Philadelphia at each election, which are disbursed without an accounting, and only too frequently for purposes which will not bear the light of day, serve to perpetuate the machine and its influence, and at the same time undermine the political sentiment of our communities.

The league also prepared a bill to prevent dual office-holding—an evil which has seriously afflicted the city for many years. Although, by reason of the political conditions which then existed, the bill did not become a law, the league was successful in individual cases in ousting from council men who held other and conflicting positions. For instance, in 1895 it succeeded in having one DeCamp, a manager of one of the local electric-lighting companies, ousted from councils on the ground that his position was incompatible. Later Samuel G. Maloney, a notorious local character, was forced to resign as select councilman because of his incumbency at the same time of the position of harbor master.

The league participated in a very considerable number of local activities, to enumerate which would serve only to illustrate the breadth of its sympathy and the scope of its activity. It is to be noted, however, that the league was the first organization in Philadelphia to inaugurate the demand for sectional high schools—a demand which is now generally recognized as well founded, and is finding expression, not only in the platforms of the parties, but in the policy of councils and of the Board of Education.

The active spirits of the Municipal League always considered that the political campaigns which it waged were important and valuable, if for no other reason, because of their educational effect. These campaigns not only developed a group of active, interested, intelligent workers, and created a party machinery which exists to the present day, although under a different name; but it served to present in concrete form the principles for which the league

stood. As Mr. George Burnham, Jr., pointed out in his address at the tenth anniversary of the founding of the league:

While I believe that the true work of the league is educational, let me hasten to add that I also think there is no better way of educating voters than by conducting campaigns at the polls, as it has done in the past and no doubt will continue to do in the future. Every time you place a worthy candidate on the ballot as against a machine henchman, you force the issue of good government upon the attention of each voter. He cannot escape it. He has not heard the general appeal of the minister in behalf of political righteousness, because he does not go to church; he has not read the warnings of the press, because he seldom looks at the editorial page; he has not read your specific campaign circular; but he must read his ballot; and the fact that he has a chance to vote for worthy candidates, as against unworthy ones, is placed before him at the critical moment.

The aims and purposes of the league were always primarily educational. It sought in every possible way to bring home to the people of Philadelphia the gravity and importance of the municipal problem as it affected them; the necessity for personal effort, if it was to be solved, and solved in the interests of the largest number. It sought at all times to enforce the fundamental principles for which it stood; it did this not only by the printed page, of which it circulated many hundreds of thousands; not only by the word of mouth, but in every other feasible and honorable way. It had numerous meetings of a social character, to bring men of like mind together, and to bring into contact with these men others who would be influenced by their personal example and influence. It sought through the medium of receptions, informal suppers, and similar devices to create and maintain an *esprit de corps*, an intelligent opinion, and a personal touch, the benefits of which are to be seen, not only during the years of the league's active work but at the present time and in the way that those who were brought up under the league's influence are attacking the present problem.

For years it advocated the establishment of a city or municipal club; but apparently the time was not ripe. Now a movement for the establishment of the City Club has succeeded beyond expectation; and within a few months there will be opened in Philadelphia a clubhouse for municipal workers—for men who

are interested primarily in the city of Philadelphia and in its honest and efficient administration.

The National Municipal League, which has become such an active factor in the municipal affairs of the United States, owes its existence to the Philadelphia Municipal League which, in 1893, took the first steps toward calling a national conference for good city government. Hearing that the City Club of New York was considering a similar move, it joined forces with that organization, and planned the conference which was held in Philadelphia in January, 1894. That meeting appointed a committee, which reported in favor of the organization of a national body to bring together all who were interested in the solution of the municipal problem; and the National Municipal League, which was formally organized in May of that year in the city of New York, was the formal expression and outcome of that movement. The fact that the secretary of the Philadelphia Municipal League was made secretary of the National Municipal League served further to identify the local body with the national movement, and to justify the claim, so often made by members of the Philadelphia league, that the National Municipal League was one of the products of its activity.

It may be asked why, after a career of such persistent activity, the league retired from the field. It did not retire until after it had called a conference for the organization of a new body which was to take up its work under a fresh name and with fresh blood, and along somewhat broader and more general lines. It must not be overlooked that the work of reform in any particular community is never an easy or a gracious task. It must be accomplished, if at all, at the sacrifice of personal comfort and popularity; and very often those who are most largely responsible for dissatisfaction with a condition of affairs are those receiving in the popular esteem the least credit or consideration. During its career the Municipal League adhered with great consistency and persistency to its fundamental principles. While at times its alliances were with one side and then with another, it always had in mind the education of public opinion, and the enforcement and embodiment of its principles in concrete action. Naturally, in

pursuing such a course, it had to refuse a great deal of interested advice, which almost invariably resulted in the estrangement of those offering it. As each year had its quota of those so estranged, in time there came to be a considerable number who felt that the league had lost its usefulness, because it failed to follow their advice. The active managers, realizing this fact; realizing further that people are always attracted by new names, and that there was a sentiment in every community, as old as the times of Aristides, which grew tired of those who were persistently teaching a doctrine at variance with that held by a majority of the community, felt that the great principles of municipal government and municipal policy for which the league had stood could best be served by the league's retirement and the formation of a new body.

Events have abundantly justified the wisdom and foresight of this action. The revolution of last spring, and the present widespread and hopeful revolt against the Philadelphia machine, were unquestionably made possible by the action. A new, vigorous group of men has been brought to the front and all that was worth while in the league has been preserved and continued, and its influence multiplied many fold; so that, in place of the comparatively little band of devoted workers, we have the new men constituting the Committee of Seventy, and a considerable infusion of new men in the City Party, plus the old rank and file of the Municipal League trained to march steadily on in the cause of better government and higher standards.

Thus the work inaugurated by the Municipal League is continued and extended, and its influence and efficacy assured.

To sum up, the Municipal League was a persistent, and not an intermittent, factor in the fight for good government in Philadelphia. As was said at its tenth anniversary, it recognized "that to accomplish permanent results it must adopt as its guiding policy 'all at it and always at it'."

The league represented an organized effort, not a spasmodic attempt, to change municipal conditions. With a nucleus of workers in every ward, and a good working association in 50 per cent. of them, they formed a wholesome offset to the strongly

intrenched and highly organized machine. With no spoils to offer to those who maintained the ward organizations, it was able to keep those whom it once enlisted, and gradually to increase their number. Its organized political work illustrated the growing force of the cohesive power of enlightened public interest.

The league was a representative, not a self-constituted, body; it stood for constructive work, it never stood for mere destructive criticism. While often required to speak sharply concerning municipal abuses, it never contented itself with mere criticism, but invariably sought to suggest and apply an adequate remedy. Thus it became a positive factor for the regeneration of Philadelphia and her politics. The full measure of its usefulness cannot yet be determined; but the fact remains that for thirteen years it maintained high standards of public service, insisting upon them under all circumstances, and so familiarized the people of the city with the ideal of good government that now, when they are thoroughly aroused to their personal responsibility in the matter, they have but to apply the principles which had been laid down and advocated by the league under circumstances not always fraught with the greatest encouragement.